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UNITED PUBLIC WORKERS,  
AFSCME, LOCAL 646, AFL-CIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

JEANNE ENDO,	)	CIVIL NO. CV03-00563 LEK
	)	
Plaintiff,	)	DEFENDANT UNITED PUBLIC
	)	WORKERS' MEMORANDUM IN
vs.	)	OPPOSITION TO PLAINTIFF'S
	)	MOTION IN LIMINE TO ADMIT
UNITED PUBLIC WORKERS,	)	EVIDENCE REGARDING THIRD-
AFSCME LOCAL 646, AFL-CIO,	)	PARTY DEFENDANT GARY W.
	)	RODRIGUES' REMOVAL FROM
Defendant,	)	UNITED PUBLIC WORKERS,
	)	AFSCME LOCAL 646, AFL-CIO;
vs.	)	CERTIFICATE OF SERVICE
	)	
GARY W. RODRIGUES,	)	
	)	
Third-Party Defendant.	)	
	)	TRIAL DATE: May 13, 2008
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DEFENDANT UNITED PUBLIC WORKERS' MEMORANDUM IN  
OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE TO ADMIT  
EVIDENCE REGARDING THIRD-PARTY DEFENDANT GARY W.  
RODRIGUES' REMOVAL FROM UNITED PUBLIC WORKERS, AFSCME  
LOCAL 646, AFL-CIO

Defendant United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) requests that the Court deny PLAINTIFF’S MOTION IN LIMINE TO ADMIT EVIDENCE REGARDING THIRD-PARTY DEFENDANT GARY W. RODRIGUES’ REMOVAL FROM UNITED PUBLIC WORKERS, AFSCME LOCAL 646, AFL-CIO, filed April 22, 2008 for the reasons set forth below:

1. The AFSCME Decision attached to Plaintiff’s Motion In Limine is hearsay and the written decision is not admissible. FRE Rules 801, 802.

2. UPW does not oppose evidence of the fact that Mr. Rodrigues was removed from office following the criminal guilty verdict, but all the union politics, circumstances, and reasoning surrounding the removal are not relevant to this case, and any arguable relevance is outweighed by the waste of time of doing a “trial within a trial” regarding all the events surrounding the removal as described in the AFSCME Decision. The jury simply needs to know when Mr. Rodrigues left UPW and why.

DATED: Honolulu, Hawaii, April 29, 2008.

/s/ Charles A. Price

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